

LOWELL POLICE DEPARTMENT

ARREST REPORT

ADULT
JUVENILE

Case #

Arrest# 02-18436

Date 09/28/02

Defendant(s) Name	Defendant(s) Address	SEX	DOB	SOCIAL SECURITY #
Colon, Carlos R.	20 Lagrange Street 2nd floor	M	3/31/68	582-23-3483

CHARGE(S)	CODE	OFFICER(S)	BADGE #
Trafficking in class A "Heroin" over 14 gram	R E C E I V E D	Rivera, J.	196
		Quinones, M.	190
	SFP 20 2002	Sgt. Golner	

LOCATION OF ARREST	LOWELL POLICE DEPT GEO CODE	ARREST DATE	ARREST TIME
Payne Street Lowell		09/28/02	1352 Hrs.

IF APPLICABLE/NAME OF VICTIM (FIRM NAME IF BUSINESS)	VICTIM D.O.B.
n/a	n/a

VICTIM'S ADDRESS	PHONE/HOME	PHONE/BUSINESS
n/a	n/a	

POLICE OFFICERS STATEMENT:

On the above date and time while assigned to Car 5, I was assisting Sgt. Golner on an incident, which occurred on 129 Westford Street apartment #6. Sgt. Golner was attempting to locate a suspect due to some cocaine confiscated at 129 Westford Street apartment #6. The suspect, a Colombian native was to be found at 11 Payne Street, an automobile dealership. Sgt. Golner then observed the 129 Westford Street suspects' motorvehicle (a gray Buick Century Ma. #2397-ZL) parked on Payne Street. We then walked to 11 Payne Street and observed the above listed defendant speaking to another Hispanic male in the lot. We then asked the listed defendant for a positive identification, in which he produced a Mass. identification & a Puerto Rico identification. As I spoke to the defendant I noticed that he was not of Puerto Rican descent, but of Colombian descent. As this time I noticed that this was not his true identity. We then had the witnesses from 129 Westford Street (see report # 02-18438) come to 11 Payne Street to attempt a positive identification. The witness then stated that the above listed defendant was the 129 Westford Street suspects' best friend. The listed defendant continued to lie to these Officers. We then asked the listed defendant if the suspect was in the automobile dealerships trailer and received confusing statements from him. I then walked by the trailer and observed a set of motor vehicle keys that belonged to a Buick on the floor, near the threshold of the trailer. I then check the keys to the 129 Westford Street suspects' vehicle and learned that the set of keys belonged to the owner of the vehicle (gray Buick Century Ma. #2397-ZL). At this time Officer Quinones and I searched the trailer for the 129 Westford Street suspect. As we did the search for the suspect I observed in plain view a clear plastic bag containing a tan substance, which through my training and experience recognized as the substance to be raw heroin, which was located in an open cabinet. I then notified Sgt. Golner of the heroin and the above listed

SUPERVISOR SIGNATURE (BADGE #)*John Treg Melt*ARRESTING OFFICER(S) SIGNATURE*PTL.**John Treg Melt*

PAGE 1 OF 2 FILE NAME = Rivera

2054

100-111

44-111 0002-01 DEC

RX-151853-3230

CRIMINAL BUREAU

LOWELL POLICE DEPARTMENT ARREST REPORT

defendant was placed under arrest for the above listed charge. I also confiscated \$1,505.00 in U.S. currency from the defendant's right pants pocket in which I formed the opinion that it was earnings from narcotic sales. The defendant was then transported to the station via the Police wagon. The automobile dealership was then secured by car #7, Officer Ferry. Detective Lessieur then took photos of the opened cabinet containing the heroin. I then retrieved the heroin, and it was tagged along with the \$1,505.00 in U.S. currency found on the defendant, and it was placed inside the evidence locker per department policy.

Respectfully Submitted By,

PTC. J. L. 7/31

SUPERVISOR SIGNATURE (BADGE #)

ARRESTING OFFICER (S) SIGNATURE

PAGE 2 OF 2 FILE NAME - Rivera

REQUEST FOR BAIL

I, José Rivera Sr., am requesting that the defendant named
Carlos R. Colon, be held on bail for the following reasons.

The nature and circumstances of the offense charged.

The potential penalty the defendant faces.

The defendant's family ties.

The defendant's financial resources and employment record.

The defendant's history of mental illness.

The defendant's reputation and length of residence in the community.

The defendant's record of convictions.

The defendant's present drug dependency or his record for illegal drug distribution.

The defendant's record of flight to avoid prosecution.

The defendant's fraudulent use of alias or false identification.

The defendant's failure to appear at a court proceeding to answer to an offense.

The defendant's status of being on bail pending adjudication of a prior charge.

The defendant's status of being on probation, parole or other release pending completion of sentence for any conviction.

The defendant's status of being on release pending sentence on appeal for any conviction.

Other. SEE Attached most report POA-18436, defendant claims
to be Puerto Rican descent, but is from Colombia, originally
to be sent to F.B.I. Additional charges might be added
as Narcotic Unit is attempting to obtain search warrant for
11 Payne St.

Respectfully Submitted,

Prs.

Lowell Police Department

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INCIDENT/ARREST REPORT

Lowell Police Dept

'50 Arcand Drive

Lowell, MA 01852

CASE NO.

02-18436

PAGE

ARREST

JUVENILE

DOMESTIC |

CRIME

INVOLVED

DATE REPORTED: 9-28-02
 TIME REPORTED: 8:55 pm
 SECTOR: W UNIT: Vice

OFFENSE 1	OFFENSE 1 (CHARACTER OF CASE)			STATUE		C-COMMITTED A-ATTEMPTED		C							
	Trafficking in cocaine over 28 grams.			94C 32E		R E C E I V E D									
	OFFENSE 2 (CHARACTER OF CASE)			STATUE		C-COMMITTED A-ATTEMPTED									
OFFENSE 2	Trafficking in Heroin over 28 grams.			94C 32E		SEP 29 2002		C							
	OFFENSE 3 (CHARACTER OF CASE)			STATUE		C-COMMITTED A-ATTEMPTED									
	Providing a false name after arrest			268 34A		LOWELL POLICE DEPT.									
DATE OCCURRED FROM		MONTH DAY YEAR	INCIDENT DAY YEAR	TIME OCCURRED FROM	HOUR MIN	HOUR MIN	4 LOCATION TYPE	99 - Other							
							5. FORCED ENTRY								
LOCATION OF OFFENSE STREET NUMBER DIRECTION STREET NAME APT NUMBER BUSINESS NAME CITY						G. N/A 1. YES 2. NO		0 - N/A							
11 Payne Street "Payne Street Auto Sales"															
OFFICER 1	DETAILED DESCRIPTION OF SUSPECT		BADGE #	OFFICER 2	DETAILED DESCRIPTION OF SUSPECT		BADGE #								
13. TYPE A		14. RACE H		15. SEX M	16. DOB 3-31-68	17. IF ESTIMATED CHECK	18. AGE	19. HEIGHT	20. WEIGHT						
13. HAIR Black		14. EYES Brown		15. OFFENSE INDICATOR		16. INJURY EXTENT 8 - None	17. INJURY TYPE (2)	18.	19.						
ADDRESS 20 Laramie St.		CITY Lowell, Ma		STATE Ma		21. RES TYPE	22. RES TYPE	23. RES STATUS	24.						
RES PHONE		EMPLOYER/SCHOOL Payne St. Auto Sales		EMPLOYER ADDRESS 11 Payne Street Lowell, Ma											
BUS PHONE		OCCUPATION		SCARS/MARCS/TATTOOS/CLOTHING		25. VIO/OFFENDER RELATIONSHIP				26.					
22. FOUR PLAY SUSPECTED		22. ALIAS/STREET NAME/NICKNAME Pedro Alberto Mairanda (1-21-69) /Pedro Gustavo				PLACE OF BIRTH Colombia									
13. TYPE HUN		14. RACE H		15. SEX M		16. DOB 3-31-68		17. IF ESTIMATED CHECK		18. AGE		19. HEIGHT		20. WEIGHT	
13. HAIR Black		14. EYES Brown		15. OFFENSE INDICATOR		16.		17. INJURY EXTENT		18.		19.		20.	
ADDRESS		CITY		STATE		ZIP		18. RES TYPE		19.		20. RES STATUS		21.	
RES PHONE		EMPLOYER/SCHOOL		EMPLOYER ADDRESS											
BUS PHONE		OCCUPATION		SCARS/MARCS/TATTOOS/CLOTHING		21. VIO/OFFENDER RELATIONSHIP				22.				23.	
22. FOUR PLAY SUSPECTED		22. ALIAS/STREET NAME/NICKNAME												PLACE OF BIRTH	
13. TYPE HUN		14. RACE H		15. SEX M		16. DOB 3-31-68		17. IF ESTIMATED CHECK		18. AGE		19. HEIGHT		20. WEIGHT	
13. HAIR Black		14. EYES Brown		15. OFFENSE INDICATOR		16.		17. INJURY EXTENT		18.		19.		20.	
ADDRESS		CITY		STATE		ZIP		18. RES TYPE		19.		20. RES STATUS		21.	
RES PHONE		EMPLOYER/SCHOOL		EMPLOYER ADDRESS											
BUS PHONE		OCCUPATION		SCARS/MARCS/TATTOOS/CLOTHING		21. VIO/OFFENDER RELATIONSHIP				22.				23.	
22. FOUR PLAY SUSPECTED		22. ALIAS/STREET NAME/NICKNAME												PLACE OF BIRTH	

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2057

PROPERTY		PROPERTY DESCRIPTION (INCLUDING MODEL NO.)		SERIAL NUMBER		PROPERTY OR LOSS VALUE			
CATEGORY (STOLEN/RECD. LOST, DAMAGED, ETC.)									
25. DRUG TYPE		E-HEROIN H-HALLUCINOGEN D-OPiates/ODYS C-COCaine	M-MARIJUANA A-AMPHET-MINE B-SUBSTITUTIVE S-STIMULANTIC	U-UNKNOWN Z-OTHER P-PARAPHERNALIA F-EQUIPMENT	H-HHA	E C	I-POSSESSES L-BUY G-USE Z-OTHER	T U-AKA W-AKA	
M	01-Broke/Bashed 02-Cut 03-Kicked 04-Pried 05-Punched/Broke Lock	06-Searched 07-No Force 08-NRA 09-Unknown 10-Other	P	01-Front door 02-Side door 03-Rear door 04-From Window 05-Side Window 06-Rear Window 07-Sliding glass door	08-Garage 09-Roof 10-Trunk/Hood 11-Left Open/Hack 12-NRA 13-Unknown 14-Other				
O			O						
	Describe Other.....		E						
CRIME SCENE		PHOTOS TAKEN	YES	BY WHOM	DUSTED FOR LATENT PRINTS	YES	PRINTS SUBMITTED	YES	BY WHOM
ROLL #			NO			NO		NO	
VEHICLE		PERIODIC PERSON TO WHOM VEHICLE INFO APPLIED							
YEAR	MAKE	MODEL	TYPE	COLOR	PLATE	INFO			
MAN									

NARRATIVE

On 9-25-47, at approximately 1:52 PM, Lowell Police Officers J. Rivera, Quinones, and Sgt. Golner arrested the above listed defendant at 11 Payne Street for Trafficking in Heroin (see report #02-18436). As a result of this arrest, the Special Investigations Section applied for a warrant for 11 Payne Street. At that time 11 Payne Street was secured by Officers Ferry and Tercerain in anticipation of a warrant.

On 9-28-02, at approximately 8:15 PM, we then traveled to 11 Payne Street to execute the warrant. During our search of 11 Payne Street the following items were seized and placed into evidence.

Found by Det. Ahern from the Chelmsford P.D. in a hole on the floor a black bag containing another clear bag with white powder (66.8 grams) that through our training and experience recognized as Cocaine another bag with brownish powder (40.5 grams) recognized as Heroin.

Found by Officer Ferry in a cabinet located above the desk was a container containing several clear bags one of which contained 10.2 grams of brownish powder that through his training and experience recognized as heroin.

Found by Det. Figueroa was paperwork believed to belong to the defendant inside of the desk draw in the name of Pedro Gustavo. It should be noted that I ran Def. Colon's prints through the FBI fingerprint analysis section and they found that the defendants prints are identical with Pedro Alberto Mairanda. Under this name it shows that the defendant has been arrested in Florida by the DEA and in New York by the FBI both on narcotics charges. Up until this time Def. Colon has refused to identify himself with his true birth name and at this time we are attempting to gather this information.

REPORTING OFFICER

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16

8-18-02

DATE

REVIEWING SUPERVISION

18

9-28-02

LOWELL POLICE DEPT.
MOTOR VEHICLE TOW AND
INVENTORY REPORT

DATE: 9/25/02
 TIME: 02-18436 case
 CASE #:
 SECTOR: C

OWNER / OPERATOR:		ADDRESS:
<i>Edwin O. Gr-Solis AKA Raul Agudelo</i>		
REG #	STATE	VIN #
23972L	MA	Buick Century Gp/
<input type="checkbox"/> RCVRD STOLEN <input type="checkbox"/> ACCIDENT <input type="checkbox"/> IMPOUNDED <input type="checkbox"/> FATAL <input type="checkbox"/> ARREST <input type="checkbox"/> UNREG M/V <input type="checkbox"/> PARKING VIOLATION <input checked="" type="checkbox"/> FORFEITURE <input type="checkbox"/> WINCHING / OTHER		
TOW FIRM:	TOWED FROM:	TOWED TO:
Jk's	21 Payne St	Police Station
EXTERIOR CHECKLIST / PAINT:		
(<input checked="" type="checkbox"/>) FADED	(<input type="checkbox"/>) GLASS	(<input type="checkbox"/>) MISSING
(<input type="checkbox"/>) PEELING	(<input checked="" type="checkbox"/>) SCRATCHES	(<input type="checkbox"/>) RUSTED
(<input type="checkbox"/>) DENTS	(<input type="checkbox"/>) POLISHED	(<input type="checkbox"/>) TIRES
(<input type="checkbox"/>) NICKED	(<input type="checkbox"/>) OTHER _____	
INTERIOR CHECKLIST:		
ELECTRONICS: (<input checked="" type="checkbox"/>) AM/FM (<input type="checkbox"/>) CASSETTE (<input type="checkbox"/>) CD PLAYER (<input type="checkbox"/>) EQUALIZER		
IGNITION: (<input type="checkbox"/>) DAMAGED (<input type="checkbox"/>) INTACT (<input type="checkbox"/>) KEYS IN IGNITION		
SEATS: (<input type="checkbox"/>) DAMAGED (<input type="checkbox"/>) MISSING		
CONTENTS OF GLOVE BOX:		
FRONT SEATS CONTENTS: <i>Unknown Contents Search warrant pending. Vice will inventory after warrant application</i>		
REAR SEATS CONTENTS: <i>pending. Vice will inventory after warrant application</i>		
FLOOR CONTENTS:		
TRUNK CONTENTS:		
VEHICLE TO BE HELD: <u> </u> REASON: _____		
O.K. TO BE RELEASED: _____ PLATE SEIZED: _____ PLATE ONLY: _____		
<input type="checkbox"/> UNREG (<input type="checkbox"/>) OPER AFTER SUSP/REVOKED (<input type="checkbox"/>) EXPIRED (<input type="checkbox"/>) STOLEN (<input type="checkbox"/>) SUSP / REVOKED REG.		
REMARKS: _____		
REPORTING OFFICER: <u>Goliver Sgt.</u>		BADGE #: <u>334</u>
SECOND REPORTING OFFICER: _____		BADGE #: _____
SUPERVISOR SIGNATURE: _____		BADGE #: _____
TOW TRUCK OPERATOR: _____		TOW 01 UPDATED 02/21/01

Case # 18436

INCIDENT/ARREST REPORT		PAGE <u>1</u> OF <u>1</u>	DATE REPORTED: <u>9/28/02</u>		
Lowell Police Dept. 50 Arcand Drive Lowell, MA 01852		<input checked="" type="checkbox"/> INCIDENT <input type="checkbox"/> ARREST	TIME REPORTED: (24 hours) <u>1420</u>		
CASE NO: 02-18436	JUVENILE <input type="checkbox"/> HATE CRIME <input type="checkbox"/>	DOMESTIC <input type="checkbox"/> ALCOHOL INVOLVED <input type="checkbox"/>			
OFFENSE 1 (CHARACTER OF CASE) <i>Marijuana Smell</i>		STATUTE			
OFFENSE 2 (CHARACTER OF CASE)		STATUTE			
OFFENSE 3 (CHARACTER OF CASE)		STATUTE			
DATE OCCURRED FROM <u>09/28/02</u> <u>74</u> <u>2000</u>					
LOCATION OF OFFENSE (ROUTE NUMBER - DIRECTION - STREET NAME - APT. NUMBER/BUSINESS NAME - CITY)					
<i>Booking Window</i>					
<i>Gonzalez Lydia</i>					
13. TYPE	NAME (LAST, FIRST, MIDDLE INITIAL) Colon, Carlos			DOB 3-31-68	
NUM	SOCIAL SECURITY # 582238483			IF ESTIMATED CHECK <input type="checkbox"/> AGE 34 HEIGHT 5'6 WEIGHT 170	
P E R S. O N	HAIR Blk	EYES Brown	16. 16 17. 17 18. 18 19. 19 20.	CITY Lowell STATE Ma ZIP 01852	
	ADDRESS 20 Lagrange St 3rd Floor Lowell				
	RES PHONE	EMPLOYER/SCHOOL Kayne St. Auto	EMPLOYER ADDRESS Kayne St.	20.	
	BUS PHONE				
	OCCUPATION Wash/Sell Cars.	SCARS/MARKS/TATTOOS/CLOTHING -None-			
1	ALIAS/STREET NAME/NICKNAME	RECEIVED			PLACE OF BIRTH
14. TYPE	NAME (LAST, FIRST, MIDDLE INITIAL) APL 06 2002			DOB	
NUM	SOCIAL SECURITY #			IF ESTIMATED CHECK <input type="checkbox"/> AGE HEIGHT WEIGHT	
P E R S. O N	HAIR	EYES	16. 16 17. 17 18. 18 19. 19	CITY STATE ZIP	
	ADDRESS				
	RES PHONE	EMPLOYER/SCHOOL	EMPLOYER ADDRESS		
	BUS PHONE				
	OCCUPATION	SCARS/MARKS/TATTOOS/CLOTHING			
2	ALIAS/STREET NAME/NICKNAME				PLACE OF BIRTH
15. TYPE	NAME (LAST, FIRST, MIDDLE INITIAL)			DOB	
NUM	SOCIAL SECURITY #			IF ESTIMATED CHECK <input type="checkbox"/> AGE HEIGHT WEIGHT	
P E R S. O N	HAIR	EYES	16. 16 17. 17 18. 18 19. 19	CITY STATE ZIP	
	ADDRESS				
	RES PHONE	EMPLOYER/SCHOOL	EMPLOYER ADDRESS		
	BUS PHONE				
	OCCUPATION	SCARS/MARKS/TATTOOS/CLOTHING			
3	ALIAS/STREET NAME/NICKNAME				PLACE OF BIRTH

LPD1-A-002

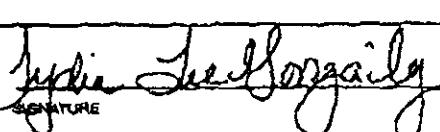
2060

100-111

2007-01-05A

0020/0015/01

CRIMINAL DIVISION

PROPERTY		PROPERTY DESCRIPTION (INCLUDING MODEL NO.)		SERIAL NUMBER	PROPERTY OR LOSS VALUE	
CATEGORY (HELM, RECYD, LOST, DAMAGED, ETC.)						
21. DRUG ACTIVITY		22. DRUG TYPE		23. MO	OTHER	24. POE
						OTHER
CRIME SCENE: PHOTOS TAKEN		YES	BY WHOM?	DUSTED FOR LATENT PRINTS	YES	PRINTS SUBMITTED
ROLL #		NO		NO		YES
VEHICLE 1		PERSON INDICATE PERSON TO WHOM VEHICLE INFO APPLIED				
YEAR	MAKE	MODEL	TYPE	COLOR	PLATE	STATE
VIN	INSURANCE COMPANY					
NARRATIVE:						
<p>On 9-28-02 at approx. 2:20 while looking for Colon carps for Trafficking charge, T. Lydia Lee Gonzalez (agent) attended, Overheard Mr. Alan State TV The Person at 937-0049 (female voice) to Call the guy with the ponytail "you know who that is" & Phone # 804-8205 And tell him that they took all the stuff but that I will reimburse him."</p>						
						
REPORTING OFFICER				35565	9-28-02	
SIGNATURE				REPORTING OFFICER BADGE	DATE	
REVIEWING SUPERVISOR				OFFICER BADGE	DATE	
SIGNATURE						

DRAFT

CHILL DRAFT BY MAC

09784537286 EXP 1

09784537286 DRAFT

2061

SEARCH WARRANT

G.L. c. 276, §§ 1-7

TRIAL COURT OF MASSACHUSETTS
District

COURT DEPARTMENT

Lowell

DIVISION

SEARCH WARRANT DOCKET NUMBER

0211Sw0;89

TO THE SHERIFFS OF OUR SEVERAL COUNTIES OR THEIR DEPUTIES, ANY STATE POLICE OFFICER, OR ANY CONSTABLE OR POLICE OFFICER OF ANY CITY OR TOWN, WITHIN OUR COMMONWEALTH:

Proof by affidavit, which is hereby incorporated by reference, has been made this day and I find that there is probable cause to believe that the property described below:

has been stolen, embezzled, or obtained by false pretenses.
 is intended for use or has been used as the means of committing a crime.
 has been concealed to prevent a crime from being discovered.
 is unlawfully possessed or concealed for an unlawful purpose.
 is evidence of a crime or is evidence of criminal activity.
 other (specify) _____

YOU ARE THEREFORE COMMANDED within a reasonable time and in no event later than seven days from the issuance of this search warrant to search for the following property:

a) Heroin, a controlled substance as defined in M.G.L. 94c b) Any and all paraphernalia used in the packaging, weighing, administering, and testing related to the illegal distribution of controlled substances, c) Any and all records, photographs, papers, documents, and/or software related to the distribution or procurement of controlled substances.

at:

11 Payne Street, a white older model, single room, trailer with two-entry doors on the side of it. There is a sign posted along side the trailer that reads, "11 Payne Street Auto Sale/ Lowell (978) 452-5659". Agudelo, Raul (aka; Edwin Diaz-Solis) which is occupied by and/or in the possession of:

on the person or in the possession of:

You are are not also authorized to conduct the search at any time of the day or night.

You are are not also authorized to enter the premises without announcement.

You are are not also commanded to search any person present who may be found to have such property in his or her possession or under his or her control or to whom such property may have been delivered.

YOU ARE FURTHER COMMANDED if you find such property or any part thereof, to bring it before the Lowell Division of the DISTRICT Court Department, as soon as this search warrant has been served and in any event no later than seven days from its issuance, *together with the person(s) in whose possession it is found. (*Strike out final clause if inapplicable.)

FIRST OR ADMINISTRATIVE JUSTICE

WITNESS: Neil J. Wallace

DATE ISSUED

9/28/02

SIGNATURE OF JUSTICE, CLERK, MAGISTRATE OR ASSISTANT CLERK

2062

RETURN OF OFFICER SERVING SEARCH WARRANT

A search warrant must be executed as soon as reasonably possible after its issuance, and in any case may not be validly executed more than 7 days after its issuance. The executing officer must file his or her return with the court within 7 days after the warrant is issued. G.L. c. 276, §3A.

This search warrant was issued on 9-28-02, 198, and I have executed it as follows:

DATE

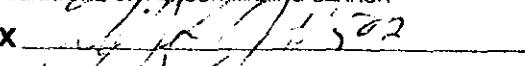
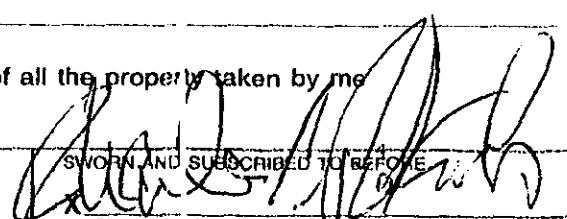
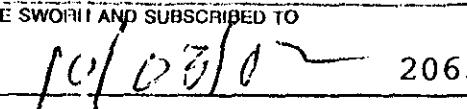
The following is an inventory of the property taken pursuant to this search warrant:

1. 1 bag cocaine (66.8 Grams)
2. 1 bag heroin (40.5 Grams)
3. 1 bag heroin (10.9 Grams Heroin)
4. Papers bearing name "Pedro Gustavo"
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____
13. _____
14. _____
15. _____
16. _____
17. _____
18. _____
19. _____
20. _____

(attach additional pages as necessary)

This inventory was made in the presence of: Detective Figueroa, Detective Todd Ahern (Chelms P.D.), Officer Dave Ferry, and Officer Tom Tettrault.

I swear that this inventory is a true and detailed account of all the property taken by me on this search warrant.

SIGNATURE OF PERSON MAKING SEARCH 	DATE AND TIME OF SEARCH 9-28-02 9PM	SWORN AND SUBSCRIBED TO BEFORE  Signature of Justice, Clerk-Magistrate or Assistant Clerk
PRINTED NAME OF PERSON MAKING SEARCH William J. Samaras Jr.	TITLE OF PERSON MAKING SEARCH Detective	DATE SWORN AND SUBSCRIBED TO  10/03/02 2063

APPLICATION FOR SEARCH WARRANT G.L. c. 276, §§ 1-7		TRIAL COURT OF MASSACHUSETTS	
NAME OF APPLICANT		District	
William J. Samaras		COURT DEPARTMENT	
POSITION OF APPLICANT		Lowell DIVISION	
Detective (Lowell Police Dept.)		SEARCH WARRANT DOCKET NUMBER	

I, the undersigned **APPLICANT**, being duly sworn, depose and say that:

1. I have the following information based upon the attached affidavit(s), consisting of a total of 4 pages, which is (are) incorporated herein by reference.

2. Based upon this information, there is probable cause to believe that the property described below:

- has been stolen, embezzled, or obtained by false pretenses.
- is intended for use or has been used as the means of committing a crime.
- has been concealed to prevent a crime from being discovered.
- is unlawfully possessed or concealed for an unlawful purpose.
- is evidence of a crime or is evidence of criminal activity.
- other (specify) _____

3. I am seeking the issuance of a warrant to search for the following property (*describe the property to be searched for as particularly as possible*):

a) Heroin, a controlled substance as defined in M.G.L. 94c (b) Any and all paraphenalia used in the packaging, weighing, administering, and testing related to the illegal distribution of controlled substances, c) Any and all records, photographs, papers, documents, and/or software related to the distribution or procurement of controlled substances.

4. Based upon this information, there is also probable cause to believe that the property may be found (*check as many as apply*):
 at (*identify the exact location or description of the place(s) to be searched*):

11 Payne Street, a white older model, single room, trailer with two-entry doors on the side of it. There is a sign posted along side the trailer that reads, "11 Payne Street Auto Sale/ Lowell (978) 452-5659". which is occupied by and/or in the possession of Agudelo, Raul (aka; Edwin Diaz-Solis)

on the person or in the possession of (*identify any specific person(s) to be searched*):

on any person present who may be found to have such property in his or her possession or under his or her control or to whom such property may have been delivered.

THEREFORE, I respectfully request that the court issue a Warrant and order of seizure, authorizing the search of the above described place(s) and person(s), if any, to be searched, and directing that such property or evidence or any part thereof, if found, be seized and brought before the court, together with such other and further relief that the court may deem proper.

I have previously submitted the same application.

I have not previously submitted the same application.

PRINTED NAME OF APPLICANT

William J. Samaras

SIGNED UNDER THE PENALTIES OF PERJURY

X

W.J. Samaras #59
Signature of Applicant

SWORN AND SUBSCRIBED TO BEFORE

X

William J. Samaras
Signature of Justice, Clerk-Magistrate or Assistant Clerk

9/28/02

DATE 2064

AFFADAVIT OF WILLIAM J. SAMARAS

I, William Samaras , being duly sworn, hereby depose and state as follows. I am a Police Officer with the City of Lowell Police Department. I have been a Police Officer in the City of Lowell for the past six years. I am currently assigned as a Detective with the Special Investigations Unit, under the supervision of Sgt. James Trudel, whose experience in narcotics investigation, is in excess of ten years. One of the responsibilities of the Special Investigations Unit is the investigation into violations of the controlled substance act. During the time I have been assigned to the SIU, I have been responsible for investigating both street level and illicit narcotics distribution operations. I have participated in the execution of search warrants where controlled substance were seized, and suspected narcotics traffickers arrested. I have worked in an undercover capacity in the past, posing as a drug user whose intent was to purchase narcotics. I have also worked with confidential informants on numerous occasions in the past. Prior to my assignment as a narcotics Detective, I worked in the Lowell Police Department Juvenile Bureau. As a Detective in the Juvenile Bureau, I was responsible for investigating crimes involving children and young adults. These crimes include indecent assaults, child rape, robbery, burglary, and murder. I hold a Bachelor's Degree in Legal Studies from the University of Massachusetts in Amherst. I have received over eighty hours of narcotics training and twenty-four hours of Advanced narcotics training from the Federal Drug enforcement agency involving methods of distribution, identification, packaging of narcotics, and interview techniques. I have over forty hours of Counterdrug Investigation training from the United States Military Police school, and I have also received training from the National Technical Investigators Association. I have received an additional forty hours of drug training from HIDTA (High Intensity Drug Trafficking Area) in New York City, which was held by the DEA and New York City Police Department. I have been teaching a two-hour in service training class to fellow officers on the subject of basic drug identification and methods of distribution for the past six months at the Lowell Cross point towers.

1. On September 28, 2002 at 12:55 Pm a [REDACTED], walked into the Highlands Precinct and asked if they had a Spanish Speaking Officer available. He was then directed to Officer Jose Ramirez. Ramirez asked [REDACTED] what he needed to talk about and he stated that he believes that his roommate, a Raul Agudelo, is dealing drugs. [REDACTED] went on to say that he found a bag with white powder contained in it. [REDACTED] further stated that he found it in Agudelo's bedroom. [REDACTED] further stated that he was suspicious of Agudelo because he does not work, but he drives a car and is able to pay his bills. Officer Ramirez then notified his immediate Supervisor, Sgt Barry Golner. Ramirez was then able to ascertain that [REDACTED] lived at 129 Westford Street, [REDACTED], along with Raul Agudelo, in Lowell Massachusetts. Ramirez then asked if [REDACTED] could show him what he had found. At this time, Ramirez, Officer Borret, and Sgt Barry Golner accompanied [REDACTED] to 129 Westford Street, [REDACTED]. Once in the apartment, [REDACTED] directed the Officers to

Agudelo's bedroom. [REDACTED] then entered Agudelo's bedroom and returned to the living room area with a plastic bag. The Officers were able to observe from the living room area that [REDACTED] had removed the plastic bag from the bedroom closet, and that the bag had been removed from a jacket sleeve. The Officers were then able to closer observe that the contents of the bag were a white powder substance in block form. Based on their training and experience, they recognized the bag to contain cocaine. This bag was then seized and placed into evidence per departmental policy. Officers Bourret and Ramirez then secured the apartment, pending the granting of a search warrant for the address.

2. On 9-28-02, at 13:52 Hrs, Officer Jose Rivera (Car #5) was assisting Sgt. Barry Golner, on this incident, which occurred on 129 Westford Street, [REDACTED]. Sgt Golner was attempting to locate Raul Agudelo and arrest him based on the seizure of cocaine located at 129 Westford Street, [REDACTED]. The suspect, a Colombian national was believed to be at 11 Payne Street, an automobile dealership. Sgt Golner traveled to this location and observed Raul Agudelo's motor vehicle (a gray Buick Century, Ma. #2397ZL) parked on Payne Street. The Officers then walked to 11 Payne Street and observed a Spanish male, later identified as Carlos Colon, speaking to another Hispanic male in the lot. The Officers then asked Colon for positive identification. Colon produced a Mass. identification and a Puerto Rican identification. As Rivera spoke to Colon he noticed that he was not of Puerto Rican descent, but Columbian descent. At this time, Rivera believed that this was not his true identity and could have been Raul Agudelo. The officers then had the witness from [REDACTED] and come to 11 Payne Street to attempt an identification of this person. The witness then stated that this male, who supplied the name Carlos Colon, was a friend of Raul Agudelo. The Officers then asked Colon if Agudelo was inside the auto dealerships trailer and received confusing statements and untruths from Colon. Rivera then walked by the threshold of the trailer and observed a set of keys. Officer Rivera then checked these keys to Raul Agudelo's vehicle and learned that the set of keys fit the vehicle (gray Buick Century Ma. # 2397ZI). At this time, Officer Quinnones and Rivera entered the trailer to look for Raul Agudelo. As they did the search for the suspect, Officer Rivera observed in plain view a clear plastic bag containing a tan substance, which through his training and experience, he recognized the substance to be raw heroin, which was located in an open cabinet. Rivera then notified Sgt Golner of the heroin and the above listed defendant that was then placed under arrest for the above listed charges. The heroin was tagged and placed into evidence along with \$1,505.00 U.S. currency, which was believed to be proceeds from illegal narcotics sales.
3. On 9-28-02, [REDACTED], who is the roommate of the 129 Westford Street cocaine trafficking suspect a Raul Agudelo, gave statements to Officers, which included a positive identification of his vehicle (Ma. 2397ZI 89 Buick Century Gray). [REDACTED] knew Agudelo to have an alias of Edwin Diaz. [REDACTED] further stated to

Officers that he believes that Agudelo had been deported from the United States in the past and then returned illegally. A check with the Massachusetts Registry yielded a registered owner as being an Edwin Diaz-Solis. Based on my past training and experience, I know that vehicles are commonly used by traffickers to transport illicit narcotics and to hide them. This, coupled with Colon's evasiveness regarding Agudelo, and any information regarding the Buick leads me to believe that Colon may have been motivated to misdirect attention from the vehicle for the reason that it may contain contraband or other incriminating evidence.

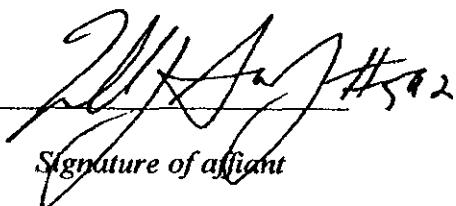
4. Based on the above facts contained in the affidavit, this Detective believes there is probable cause to issue a warrant 11 Payne Street, in the City of Lowell for A.) Heroin, a controlled substance as defined in MGL CH. 94C B.) Any and all monies and proceeds derived from the illegal sale of controlled substance or for the procurement of controlled substance, C.) Any and all paraphernalia used in packaging, all records, photos, papers, documents, or software related to the distribution of controlled substance.

5. Based on the above facts contained in the affidavit, this Detective believes there is probable cause to issue a warrant for 129 Westford Street, [REDACTED], in the City of Lowell for A.) Cocaine, a controlled substance as defined in MGL CH. 94C B.) Any and all monies and proceeds derived from the illegal sale of controlled substance or for the procurement of controlled substance, C.) Any and all paraphernalia used in packaging, all records, photos, papers, documents, or software related to the distribution of controlled substance.

6. Based on the above facts contained in the affidavit, this Detective believes there is probable cause to issue a warrant for said vehicle, 89 Buick Century color Gray bearing Massachusetts plate number 2397ZL, vehicle identification number 1G4AH51N1KG416701 A.) Cocaine, a controlled substance as defined in MGL CH. 94C B.) Any and all monies and proceeds derived from the illegal sale of controlled substance or for the procurement of controlled substance, C.) Any and all paraphernalia used in packaging, all records, photos, papers, documents, or software related to the distribution of controlled substance.

7. 129 Westford Street is a three-story, multi-family, wood-framed, apartment building that is light green in color with white trim. To get to the target apartment you first enter a courtyard that is located just to the left of the door clearly marked "127". Once in this courtyard you travel to the far right corner which is clearly marked "129" above it. Once you enter this door, you ascend the staircase to the second floor. Once on the second floor landing the target door will be located to your left and marked with a number  above it.

8. 11 Payne Street is a white older model, single room, trailer with two-entry doors on the side of it. There is a sign posted along side the trailer that reads, "11 Payne Street Auto Sale / Lowell 978-452-5659".



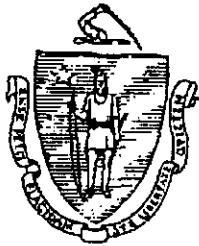
Signature of affiant



Date

Then personally appeared before named William J. Samaras Jr. and made oath that the foregoing affidavit subscribed by him is true.

Judge, Clerk Magistrate, Asst. Clerk Magistrate



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
State Laboratory Institute
305 South Street
Boston, MA 02130-3597
617-983-6622

Jane Swift
Governor
Robert P. Gittens
Secretary
Howard H. Koh, MD, MPH
Commissioner

DATE RECEIVED: 10/04/2002
DATE ANALYZED: 11/11/2002

NO. 730460

I hereby certify that the powder
Contained in 1 plastic bag
Submitted by DET. BRYAN MCMAHON of the LOWELL POLICE DEPT. MARKED: 730460

Has been examined with the following results:

The powder was found to contain:

Cocaine, a derivative of Coca leaves, as defined in Chapter 94 C,
Controlled Substance Act, Section 31, Class B.

NET WEIGHT: 61.44 grams

DEFENDANT: AGUDELO, RAUL

ASSISTANT ANALYSTS Sandra Lipchus

Nancy Tisei

Sworn and subscribed to before me this day, 11/13/02.
I know the subscribers to be assistant analysts of the Massachusetts
Department of Public Health.

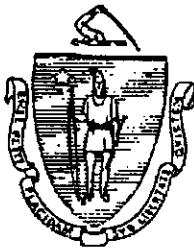
My Commission Expires 11/11/08

NOTARY PUBLIC

Chapter 111, Section 13 of the General Laws

This certificate shall be sworn to before a Justice of the Peace or Notary Public, and the jurat shall contain a statement that the subscriber is the analyst or assistant analyst of the department. When properly executed, it shall be prima facie evidence of the composition, quality, and the net weight of the narcotic or other drug, poison, medicine, or chemical analyzed, or the net weight of any mixture containing the narcotic or other drug, poison, medicine, or chemical analyzed, and the court shall take judicial notice of the signature of the analyst or the assistant analyst, and of the fact that he/she is such.





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Commissioner

DATE RECEIVED: 10/04/2002
DATE ANALYZED: 11/11/2002

NO. 730461

I hereby certify that the powder
Contained in 1 plastic bag
Submitted by DET. BRYAN MCMAHON

MARKED: 730461

of the LOWELL POLICE DEPT.

Has been examined with the following results:

The powder was found to contain:

Cocaine, a derivative of Coca leaves, as defined in Chapter 94 C,
Controlled Substance Act, Section 31, Class B.

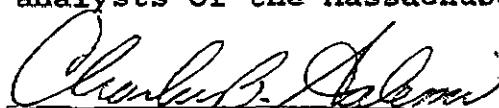
NET WEIGHT: 61.67 grams

DEFENDANT: AGUDELO, RAUL

ASSISTANT ANALYSTS Sandra Liphush Nancy Tisei

Sworn and subscribed to before me this day, 11/13/02.
I know the subscribers to be assistant analysts of the Massachusetts
Department of Public Health.

My Commission Expires 4/11/08

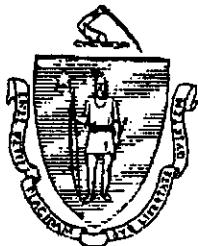

Charles B. Salem

NOTARY PUBLIC

Chapter 111, Section 13 of the General Laws

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 Commissioner

DATE RECEIVED: 10/04/2002
 DATE ANALYZED: 11/11/2002

NO. 730462

I hereby certify that the substance
 Contained in 1 plastic bag
 Submitted by DET. BRYAN MCMAHON of the LOWELL POLICE DEPT.

MARKED: 730462

Has been examined with the following results:

The substance was found to contain:

Cocaine, a derivative of Coca leaves, as defined in Chapter 94 C,
 Controlled Substance Act, Section 31, Class B.

NET WEIGHT: 40.52 grams

DEFENDANT: AGUDELO, RAUL

Sandra Lipchus Nancy Tisei
 ASSISTANT ANALYSTS Sandra Lipchus Nancy Tisei

Sworn and subscribed to before me this day, 11/13/02.
 I know the subscribers to be assistant analysts of the Massachusetts
 Department of Public Health.

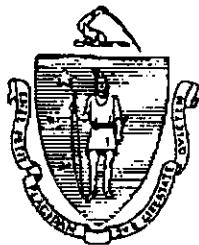
My Commission Expires 4/4/08

Charles B. Johnson
 NOTARY PUBLIC

Chapter 111, Section 13 of the General Laws

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Commissioner

DATE RECEIVED: 10/04/2002
DATE ANALYZED: 11/11/2002

NO. 730463

I hereby certify that the substance

Contained in 1 plastic bag

MARKED: 730463

Submitted by DET. BRYAN MCMAHON of the LOWELL POLICE DEPT.

Has been examined with the following results:

The substance was found to contain:

Cocaine, a derivative of Coca leaves, as defined in Chapter 94 C,
Controlled Substance Act, Section 31, Class B.

NET WEIGHT: 3.12 grams

DEFENDANT: AGUDELO, RAUL

ASSISTANT ANALYSTS Sandra Lipchus Nancy Tisei

Sworn and subscribed to before me this day, 11/13/02.
I know the subscribers to be assistant analysts of the Massachusetts
Department of Public Health.

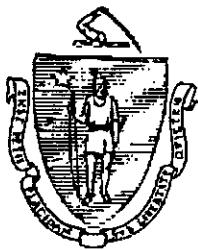
My Commission Expires 4/11/08

Charles B. Salem
NOTARY PUBLIC

Chapter 111, Section 13 of the General Laws

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 Commissioner

DATE RECEIVED: 10/04/2002
 DATE ANALYZED: 11/11/2002

NO. 730464

I hereby certify that the substance
 Contained in 1 plastic bag

Submitted by DET. BRYAN MCMAHON of the LOWELL POLICE DEPT. MARKED: 730464

Has been examined with the following results:

The substance was found to contain:

Cocaine, a derivative of Coca leaves, as defined in Chapter 94 C,
 Controlled Substance Act, Section 31, Class B.

NET WEIGHT: 62.51 grams

DEFENDANT: AGUDELO, RAUL

ASSISTANT ANALYSTS	Sandra Lipchus	Nancy Tissi
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Sworn and subscribed to before me this day, 11/13/02.
 I know the subscribers to be assistant analysts of the Massachusetts
 Department of Public Health.

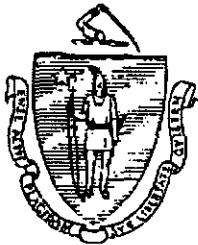
My Commission Expires 4/11/08

Charles B. Salem
 NOTARY PUBLIC

Chapter 111, Section 13 of the General Laws

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 Commissioner

DATE RECEIVED: 10/04/2002
 DATE ANALYZED: 11/11/2002

NO. 730465

I hereby certify that the substance
 Contained in 1 plastic bag
 Submitted by DET. BRYAN MCMAHON

MARKED: 730465

of the LOWELL POLICE DEPT.

Has been examined with the following results:

The substance was found to contain:

Heroin, (diacetylmorphine) as defined in Chapter 94 C, Controlled Substance Act, Section 31, Class A.

NET WEIGHT: 39.56 grams

DEFENDANT: AGUDELO, RAUL

Sandra Lipchus, Nancy Tisei
 ASSISTANT ANALYSTS Sandra Lipchus Nancy Tisei

Sworn and subscribed to before me this day, 11/13/02.
 I know the subscribers to be assistant analysts of the Massachusetts Department of Public Health.

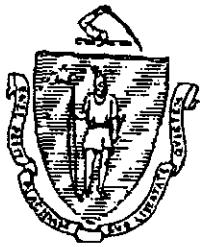
My Commission Expires 4/11/08

Charles B. Abram
 NOTARY PUBLIC

Chapter 111, Section 13 of the General Laws

This certificate shall be sworn to before a Justice of the Peace or Notary Public, and the jurat shall contain a statement that the subscriber is the analyst or assistant analyst of the department. When properly executed, it shall be prima facie evidence of the composition, quality, and the net weight of the narcotic or other drug, poison, medicine, or chemical analyzed, or the net weight of any mixture containing the narcotic or other drug, poison, medicine, or chemical analyzed, and the court shall take judicial notice of the signature of the analyst or the assistant analyst, and of the fact that he/she is such.





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DATE RECEIVED: 10/04/2002
DATE ANALYZED: 11/11/2002

NO. 730466

I hereby certify that the substance
Contained in 1 plastic bag
Submitted by DET. BRYAN MCMAHON of the LOWELL POLICE DEPT.

MARKED: 730466

Has been examined with the following results:
The substance was found to contain:
Heroin, (diacetylmorphine) as defined in Chapter 94 C, Controlled
Substance Act, Section 31, Class A.

NET WEIGHT: 10.45 grams

DEFENDANT: AGUDELO, RAUL

ASSISTANT ANALYSTS Sandra Lipchus / Nancy Tisei

Sworn and subscribed to before me this day, 11/13/02.
I know the subscribers to be assistant analysts of the Massachusetts
Department of Public Health.

My Commission Expires 4/11/08

Charles B. Salem
NOTARY PUBLIC

Chapter 111, Section 13 of the General Laws

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CRIMINAL BUREAU

TAX 978987/2008

SERIAL NUMBER

8-23

INCIDENT/ARREST REPORT Lowell Police Dept. 50 Arcand Drive Lowell, MA 01852		PAGE <u>1</u> OF _____	DATE REPORTED: <u>9/28/02</u>			
		<input checked="" type="checkbox"/> INCIDENT <input type="checkbox"/> ARREST	TIME REPORTED: (24 hour) <u>1753</u>			
		JUVENILE <input type="checkbox"/> DOMESTIC <input type="checkbox"/>				
		HATE CRIME <input type="checkbox"/> ALCOHOL INVOLVED <input type="checkbox"/>				
O F F E N S E	PERSON	OFFENSE 1 (CHARACTER OF CASE) <i>Possible DWI Activity</i>		STATUTE		
	PERSON	OFFENSE 2 (CHARACTER OF CASE)		STATUTE		
	PERSON	OFFENSE 3 (CHARACTER OF CASE)		STATUTE		
DATE OCCURRED FROM <u>09 28 02</u> HOUR <u>5:30</u>		MONTH <u>09</u> DAY <u>28</u> YEAR <u>02</u>	MONTH <u>09</u> DAY <u>28</u> YEAR <u>02</u>	MONTH <u>09</u> DAY <u>28</u> YEAR <u>02</u>		
LOCATION OF OFFENSE (STREET NUMBER, DIRECTION, STREET)		NUMBER/BUSINESS NAME / CITY <u>129 Westford St Lowell</u>				
		<i>J. Ramirez</i> <u>654</u> <i>Retract</i>				
13. TYPE NAME (LAST, FIRST, MIDDLE INITIAL)				DOB <u>8/24/61</u>		
P E R S O N	NUM <u>3</u>	SOCIAL SECURITY #	IF ESTIMATED CHECK <input type="checkbox"/>	AGE <u>17</u>	HEIGHT <u>6'</u>	WEIGHT <u>19</u>
	HAIR <u>Black</u> EYES <u>Brown</u>	16.	17.	17.	18.	19.
	ADDRESS <u>129 Westford St</u>	CITY <u>Lowell, MA 01851</u>	STATE <u>MA</u>	ZIP <u>01851</u>		
RES PHONE <u>(978) 450-5365</u>	EMPLOYER SCHOOL	EMPLOYER ADDRESS <u>RECEIVED</u>				
BUS PHONE	OCCUPATION	SCARS/MARKS/TATTOOS/CLOTHING				22.
ALIAS/STREET NAME/NICKNAME <u>Edwin Diaz</u>			SEP 29 2002		PLACE OF BIRTH <u>Columbia</u>	
13. TYPE NAME (LAST, FIRST, MIDDLE INITIAL)	LOWELL POLICE DEPT.				DOB	
P E R S O 	NUM <u>3</u>	SOCIAL SECURITY #	IF ESTIMATED CHECK <input checked="" type="checkbox"/>	AGE <u>40</u>	HEIGHT <u>6'0"</u>	WEIGHT
	HAIR <u>Black</u> EYES <u>Brown</u>	16.	17.	17.	18.	19.
	ADDRESS <u>129 Westford St</u>	CITY <u>Lowell, MA 01851</u>	STATE <u>MA</u>	ZIP <u>01851</u>		
RES PHONE	EMPLOYER SCHOOL	EMPLOYER ADDRESS				
BUS PHONE	OCCUPATION	SCARS/MARKS/TATTOOS/CLOTHING				20.
ALIAS/STREET NAME/NICKNAME <u>Edwin Diaz</u>					PLACE OF BIRTH	
13. TYPE NAME (LAST, FIRST, MIDDLE INITIAL)					DOB	
P E R S O 	NUM <u>3</u>	SOCIAL SECURITY #	IF ESTIMATED CHECK <input type="checkbox"/>	AGE	HEIGHT	WEIGHT
	HAIR <u>Black</u> EYES <u>Brown</u>	16.	17.	17.	18.	19.
	ADDRESS	CITY	STATE	ZIP		
RES PHONE	EMPLOYER SCHOOL	EMPLOYER ADDRESS				
BUS PHONE	OCCUPATION	SCARS/MARKS/TATTOOS/CLOTHING				20.
ALIAS/STREET NAME/NICKNAME					PLACE OF BIRTH	

LPD1-A-202

2076

PROPERTY		PROPERTY DESCRIPTION (INCLUDING MODEL NO.)	SERIAL NUMBER	PROPERTY OR LOSS VALUE				
CATEGORY (STLN, RECD, LOST, DAMAGED, ETC.)								
21. DRUG ACTIVITY		22. DRUG TYPE	23. MO	OTHER				
CRIME SCENE: PHOTOS TAKEN		YES NO	BY WHOM?	DUSTED FOR LATENT PRINTS	YES NO	PRINTS SUBMITTED	YES NO	BY WHOM
ROLL #								
VEHICLE 1		PERSON (INDICATE PERSON TO WHOM VEHICLE INFO APPLIES)						
YEAR	MAKE	MODEL	TYPE	COLOR	PLATE	STATE		
VIN				INSURANCE COMPANY				
<p>NARRATIVE: On September 28, 2002 at 1233 the complainant walked into the [REDACTED] Precinct and asked if someone spoke Spanish. He was directed to me. I asked him what happened and he said that he believes that [REDACTED] roommate (suspect) is dealing drugs because he found a bag with white powder in [REDACTED] the (suspect) roommate's room. I informed Sgt. G. Blner. The complainant told me that he was suspicious of his roommate because he does not work, but he drives a car and helps to pay the bills.</p> <p>I asked him where he lived and he said 129 Westford St. [REDACTED] I asked him if he could show us what he found and he said "Yes". Sgt. G. Blner, off. Bourret and [REDACTED] I went with the complainant to his apartment. We entered the apartment into the living room and we asked [REDACTED] to show us what he thought [REDACTED] the drugs. [REDACTED] entered his roommate's room and brought out a plastic bag. From our location in the living room we were able to observe [REDACTED] go into a closet and take out a jacket. He pulled out the bag from the sleeve of the jacket. We looked into the bag and it contained a large amount of powdery substance in block form. We recognized this to be cocaine. The bag was seized and tagged as evidence per department policy. The apartment was secured by Off. Bourret and I secured the apartment pending a search warrant.</p>								

REPORTING OFFICER

SIGNATURE

654

OFFICER BADGE

9/24/02

DATE

REVIEWING SUPERVISOR

SIGNATURE

339

OFFICER BADGE

9/28/02

DATE

2077

CASE # 02-18438

LOWELL, MA POLICE DEPT.
FOLLOW UP REPORT

REPORTING OFFICER: Golner, Sgt.

DATE: 09-28-02 TIME: 1700

CRIME / INCIDENT: Trafficking in Cocaine over 200 grams

VICTIM: Comm. of Massachusetts

ADDRESS:

VICTIMS DOB: HOME PHONE #:

BUSINESS PHONE: _____

RECEIVED

SEP 29 2002

LOWELL POLICE DEPT.

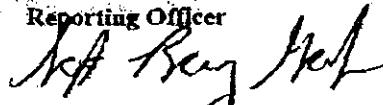
Summary:

On 28 September 02, [REDACTED] came into the Highlands Precinct to report that he may have discovered drugs inside his apartment. [REDACTED] told Officer Jose Ramirez that his roommate did not work and has not been paying him rent. [REDACTED] told us that he was suspicious and had looked through his roommates' room. According to [REDACTED] he found a bag containing what he thought might be drugs in his roommates' room. [REDACTED] agreed to take us to the apartment and show us what he believed might be illegal drugs.

I responded to the apartment at #129 Westford Street [REDACTED] along with [REDACTED], Officer Raymond Bourret and Officer Ramirez. Upon arrival, [REDACTED] took us into the apartment and to an unlocked bedroom to the left of a front room. [REDACTED] told us his bedroom was to the right. [REDACTED] opened the door, and pulled a blue/green/brown jacket from the closet. [REDACTED] then pulled a Levi's Bag (plastic multi-colored) from one of the jacket sleeves. Inside this bag he told me was the substance he thought might be drugs. [REDACTED] placed the bag on the bed, and I walked into the room to observe its contents. I observed numerous clear plastic bags containing a substance, which I recognized to be consistent with that of cocaine. A closer examination revealed seven large bags of the substance believed to be cocaine. All seven bags were consistent in size and shape. Through this Officers training and experience, I believed that there was in excess of 200 grams of cocaine in the bags. I seized the bag and jacket as evidence. I called for Detective Carlos Mercado to photograph the cocaine on the bed. The photograph was turned over to Sgt. James Trudel. The jacket and cocaine were transported to the Lowell Police Station and tagged as evidence. Detective Bryan McMahon was called and responded to take custody of the evidence. Sgt. Trudel was advised of the situation and advised he would have Detectives responding to apply for a search warrant. Officer Bourret and Ramirez remained at #129 Westford Street [REDACTED] to secure the apartment.

[REDACTED] told me that although his roommate was not present, he hangs out at a car lot off of School Street before the bridge. [REDACTED] told me that his roommate drives a grey vehicle and the plate number was [REDACTED]

Reporting Officer



FILE NAME = Document2

Supervisor



PAGE 1 of 2

DOCUMENT NAME = Document2

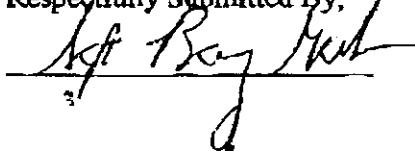
LOWELL MA, POLICE DEPT
FOLLOWUP REPORT

2397ZL. A check on the registration revealed it came back to an Edwin Diaz-Solis. According to [REDACTED] his roommate was named Raul Agudelo a Columbian native who utilizes the aka Edwin Diaz-Solis. We believed that the address [REDACTED] was speaking of was Payne Street. I responded to the area and located the vehicle Massachusetts 2397ZL on Payne Street by #21. This was adjacent to a used car lot at #11 Payne. Officers Rivera Sr., Tetreault, Ferry and Quinones responded to assist. At #11 Payne, we located a Hispanic male who claimed to be from Puerto Rico. From our experience, Officer Rivera and I believed that the male was not telling the truth and was in fact from Columbia. The male identified himself as Carlos R. Colon. Subsequently a show-up was conducted with [REDACTED] and Colon with negative results. [REDACTED] advised that Colon was not his roommate, but was his roommate's good or best friend. Colon was not truthful about knowledge of the grey Buick and through investigation by Officer Rivera, this was confirmed. An amount of substance believed to be heroin was discovered in the car lots trailer and Colon placed under arrest for trafficking in heroin over 14 grams. Officers Ferry and Tetreault then secured number 11 Payne Street pending the application of a search warrant by the Vice/Narcotics Unit.

See related reports for details.

I had Detective Dillon take two Polaroid photographs of the cocaine. One is attached to this report and the other placed with the evidence.

Respectfully Submitted By,



Reporting Officer

Supervisor

PAGE 2 of 2

FILE NAME = Document2

Page 1 of _____Case No.: 02-18738

LOWELL POLICE DEPT.

Today's Date: 9/28/02Initial Report Date: 9/28/02**INCIDENT / ARREST REPORT** NARRATIVE / CONTINUATION / FOLLOW-UP Offense: Possible Drug ActivityLocation of Offense: 129 Westford St [REDACTED] Lowell

Reason for follow-up:

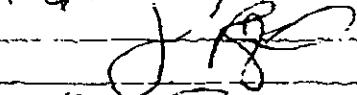
On September 28, 2002 before we left the above address we asked [REDACTED] if he wanted to stay somewhere else and he said "no". He said that he would stay in his room. I advised him to keep the phone by his side and to call 911 if the suspect showed up or if anything happened. He was informed that if he felt threatened the Police Dept. will help him find a place to stay.

R E C E I V E D

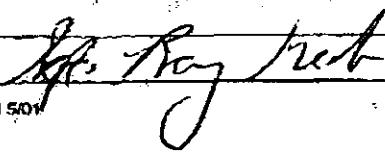
SEP 29 2002

LOWELL POLICE DEPT.

Respectfully Submitted,



Jose L. Ramirez



LPD 14850V

INCIDENT/ARREST REPORT

Lowell Police Dept.

50 Arcand Drive

Lowell, MA 01852

CASE NO:

02-18438

PAGE 1 OF 3	
<input checked="" type="checkbox"/> INCIDENT	<input type="checkbox"/> ARREST
JUVENILE	<input type="checkbox"/>
CRIME HATE	<input type="checkbox"/>
INVOLVED ALCOHOL	<input type="checkbox"/>

DATE REPORTED: 9-30-02		
TIME REPORTED: 10:30 AM		
SECTOR W	UNIT	VICE

OFFENSE	OFFENSE 1 (CHARACTER OF CASE)		STATUE 94C,32E	C-COMMITTED A-ATTEMPTED		C		
	TRAFFICKING C/B COCAINE O/200 GRMS			STATUE				
	OFFENSE 2 (CHARACTER OF CASE)			STATUE				
	OFFENSE 3 (CHARACTER OF CASE)			STATUE		C-COMMITTED A-ATTEMPTED		

DATE OCCURRED FROM 9-28-02	MONTH DAY YEAR	MONTH DAY YEAR	TIME OCCURRED FROM 9PM	HOUR MIN TO	4. LOCATION TYPE 03 - Res/Other
LOCATION OF OFFENSE (STREET NUMBER, DIRECTION, STREET NAME, APT NUMBER, NEARBY NAME/CITY)					

129 WESTFORD STREET APARTMENT 6

OFFICER 1	SAMARAS, JOHN DET	BADGE # 592	OFFICER 2	BADGE #				
WEAPON TYPE		1) N/A (3) Blunt Object (6) Explosives (12) Sex Weapon	2) Handgun (4) Link firearm (7) Hand/Foot/Foot (10) Firearm/Artillery (13) Drugs (9) Other	3) Unknown (8) Unknown (14) Threatening (15) Poisen	13	7. CALIBER/ GAUGE NN	8. FINISH	9. COLOR

Number of persons present	Number of offense	Number of offenders	Number Arrest					
12. TYPE S 3 UNK	13. SOCIAL SECURITY #	NAME (LAST FIRST & MIDDLE)						
14. RACE H	15. SEX M	16. DOB 7-17-60	IF ESTIMATED CHECK <input checked="" type="checkbox"/>	AGE 42	HEIGHT 6'00"	WEIGHT 160		
HAIR Black	EYES Brown	18. OFFENSE INDICATOR 1-1st	17. INJURY EXTENT 0 - None	18. INJURY TYPE (2)	19. RES TYPE NN	20. RES STATUS NN		
ADDRESS 129 WESTFORD STREET	CITY LOWELL	STATE MA	ZIP	19. RES TYPE NN	20. RES STATUS NN	21.		
RES PHONE NN	EMPLOYER/SCHOOL NN	EMPLOYER ADDRESS NN						
BUS PHONE NN		OCCUPATION NN					21. VIO/OFFENDER RELATIONSHIP NN	21.
22. FOUL PLAY SUSPECTED No	22. ALIAS/STREET NAME/NICKNAME NN						PLACE OF BIRTH NN	

13. TYPE	NUM	SOCIAL SECURITY #	NAME (LAST FIRST MIDDLE INITIAL)					
14. RACE	15. SEX	DOB	IF ESTIMATED CHECK <input type="checkbox"/>	AGE	HEIGHT	WEIGHT		
HAIR	EYES	18. OFFENSE INDICATOR	16.	17. INJURY EXTENT	17.	18. INJURY TYPE (2)	18.	
ADDRESS	CITY		STATE	ZIP	19. RES TYPE	19.	20. RES STATUS	
RES PHONE	EMPLOYER/SCHOOL	EMPLOYER ADDRESS RECEIVED D					21.	
BUS PHONE							21. VIO/OFFENDER RELATIONSHIP	21.
22. FOUL PLAY SUSPECTED	22. ALIAS/STREET NAME/NICKNAME						PLACE OF BIRTH	

13. TYPE	NUM	SOCIAL SECURITY #	NAME (LAST FIRST MIDDLE INITIAL)					
14. RACE	15. SEX	DOB	IF ESTIMATED CHECK <input type="checkbox"/>	AGE	HEIGHT	WEIGHT		
HAIR	EYES	18. OFFENSE INDICATOR	16.	17. INJURY EXTENT	17.	18. INJURY TYPE (2)	18.	
ADDRESS	CITY		STATE	ZIP	19. RES TYPE	19.	20. RES STATUS	
RES PHONE	EMPLOYER/SCHOOL	EMPLOYER ADDRESS					21.	
BUS PHONE							21. VIO/OFFENDER RELATIONSHIP	21.
22. FOUL PLAY SUSPECTED	22. ALIAS/STREET NAME/NICKNAME						PLACE OF BIRTH	

PROPERTY

CATEGORY (ITEM REC'D, LOST, DAMAGED, ETC.)		PROPERTY DESCRIPTION (INCLUDING MODEL NO.)		SERIAL NUMBER	PROPERTY OR LOSS VALUE
25. DRUG TYPE	E HEROIN H HALLUCINOGEN I ORTHOGENRY C COCAINE	M MARIJUANA A AMPHETAMINE B BARBITURATE S SYNTHETIC	U UNKNOWN Z OTHER P PARAPHERNALIA E EQUIPMENT	C N/A	26. DRUG ACTIVITY
M	01-Broke/smashed 02-Cut 03-Kicked 04-Pried 05-Punched/Broke Lock	06-Sawed 07-No Force 08-N/A 09-Unknown 10-Other	P	01-Front door 02-Side door 03-Rear door 04-Front Window 05-Side Window 06-Rear Window 07-Sliding glass door	08-Garage 09-Roof 10-Trunk/Hood 11-Left Open/Unlock 12-N/A 13-Unknown 14-Other
O			O		
			E		
	Describe Other _____			Describe Other _____	

CRIME SCENE:	PHOTOS TAKEN	yes <input checked="" type="checkbox"/>	BY WHOM?	DUSTED FOR LATENT PRINTS	yes <input type="checkbox"/>	PRINTS SUBMITTED	yes <input checked="" type="checkbox"/>	BY WHOM?
ROLL #	NO			NO	<input checked="" type="checkbox"/>	NO		
VEHICLE								
YEAR 89	MAKE BUICK	MODEL CENTURY	TYPE PAN	COLOR GRAY	PLATE 2397ZL	STATE MA	PERSON (INDICATE PERSON TO WHOM VEHICLE INFO APPLIES)	
VIN				INSURANCE company				

NARRATIVE:

On 9-28-02, while assigned to the Lowell Police Department Special Investigations Section, this Detective applied for and was granted search warrants for 129 Westford Street, [REDACTED] 11 Payne Street, and a gray Buick Century bearing Massachusetts plate number 2397ZL. These search warrants were the result of a discovery made by Officers Raymond Berret and Jose Ramirez at 129 Westford Street [REDACTED] (See initial report Off. Ramirez). The Officers were directed to the address by [REDACTED], who resides at 129 Westford Street [REDACTED], along with the listed suspect "Agudelo". [REDACTED] led police to a bag that contained a substantial amount of cocaine which was seized at that time. This bag of cocaine, which was later found to be in excess of 200 Grams, was located in the closet of "Agudelo". The apartment was then secured pending the granting of a search warrant.

On 9-28-02, at 9PM, Sgt Trudel, and myself traveled to 129 Westford Street, [REDACTED] after being granted search warrant number 0211SW087. We then met with Officers Berret and Ramirez who had the target apartment secured. As a result of the search the following items were found:

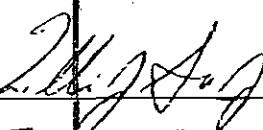
1. 2 Glassine bags contain cocaine (each 63 Grams/ total 126 Grams) *Samaras / bedroom closet*
2. 2 Glassine bag contain cocaine (43 Grams/ 4 Grams) * Sgt Trudel/ Bedroom night stand*
3. 1 Digital scale *Officer Berret/ left side of bedroom floor*
4. \$185.00 U.S. currency *Samaras/ Bedroom closet*
5. Various paper work (Pass port/tax papers/ identification bearing suspects name @ alias) *Ramirez/ bedr.*
6. 1 cell phone *Samaras/ bedroom closet*

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OCT 01 2002

LOWELL POLICE DEPT

REPORTING OFFICER



SIGNATURE

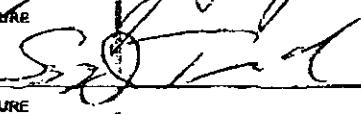
1502

OFFICER BADGE

9-30-02

DATE

REVIEWING SUPERVISOR



SIGNATURE

1502

OFFICER BADGE

9-30-02

DATE

LOWELL POLICE DEPT.

Page 2 of 2

Case No.: 02-18436

Today's Date: 9-30-02

INCIDENT / ARREST REPORT

 NARRATIVE / CONTINUATION / FOLLOW-UP

At this time, the suspect has not been located, and I am seeking an arrest warrant for AGUDELO, RAUL AKA DIAZ-SOLIS, EDWIN with a date of birth of 7-17-60 from 129 Westford Street, [REDACTED] for trafficking c/b (cocaine) over 200 Grams.

It should be noted that I applied for and was granted search warrant number 0211SW088 for the suspects vehicle (gray Buick Century 2397ZL). This vehicle was searched by Detective Zanol, and found to contain no contraband. This vehicle will be held pending investigation. All contraband was tagged and placed into evidence per departmental policy.

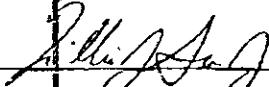
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REPORTING OFFICER

SIGNATURE



502

9-30-02

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SIGNATURE



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5-30-02